

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 CIEP-02 CEA-02 AF-10 EA-11

EUR-25 NEA-14 RSC-01 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20

USIA-15 AID-20 CEQ-02 COA-02 COME-00 EB-11 EPA-04

IO-14 NSF-04 SCI-06 FEAE-00 ACDA-19 AEC-11 AGR-20

DOT-00 FMC-04 INT-08 JUSE-00 OMB-01 TRSE-00 OIC-04

DRC-01 /294 W

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R 202115Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4875

INFO USUN NEW YORK 690

UNCLAS SECTION 1 OF 2 CARACAS 6842

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: WEEKLY UNCLASSIFIED SUMMARY REPORT JULY 12-18

1. SUMMARY: GENERAL STATEMENTS IN PLENARY ENDED JULY 15. IN ADDITION STATEMENTS BY 11 STATES, CONFERENCE HEARD REPRESENTATIVES OF NON GOVERNMENTAL ORGANIZATIONS INCLUDING REP OF UNCTAD WHO ALSO SPOKE IN COMMITTEE I (SEABED REGIME). GENERAL DEBATE CONTINUED IN MAIN COMMITTEES EXPECTED TO END IN COMMITTEES I AND III THIS WEEK. U.S. STATEMENT IN COMMITTEE I JULY 17. STATEMENT ON SCIENTIFIC RESEARCH UPCOMING FRIDAY. STATEMENTS IN MAIN COMMITTEES MOSTLY BRIEF AND CONCILIATORY IN TONE, WITH INCREASED ATTENTION TO EXTENT OF RIGHTS AND DUTIES IN COASTAL ZONE IN BOTH COMMITTEES II AND III AND TO NAVIGATION RIGHTS INCLUDING PASSAGE THROUGH INTERNATIONAL STRAITS.
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COMMITTEE II ENDED DISCUSSION OF ITEM 2 (TERRITORIAL SEA)

AND CHAIRMAN SUBMITTED INFORMAL WORKING PAPER REFLECTING MAIN TRENDS IN ALTERNATIVE TEXTS. END SUMMARY.

2. PLENARY STATEMENTS: PLENARY STATEMENTS THIS WEEK INCLUDED JAPAN, INDONESIA, AND REPRESENTATIVE OF UNCTAD. JAPAN EMPHASIZED NECESSITY FOR UNAMBIGUOUS DEFINITION OF ARCHIPELAGOES TO PROTECT NAVIGATION AND OTHER CONVENTIONAL INTERESTS. RE STRAITS JAPANESE STATEMENT SUPPORTED FREEDOM OF NAVIGATION TO MAXIMUM EXTENT BUT ACKNOWLEDGED NEED CONSIDER LEGITIMATE COASTAL STATE CONCERNS RE POLLUTION, SAFETY AND SECURITY. INDONESIA MADE MAJOR STATEMENT ON ARCHIPELAGOES SUGGESTING THAT DEFINITIONS MIGHT BE DIFFERENT FOR ARCHIPELAGIC STATES AND ESSENTIALLY CONTINENTAL STATES WITH ARCHIPELAGOES. RE NAVIGATION INDONESIA SPEECH EMPHASIZED DEPENDENCE OF ALL STATES ON INNOCENT PASSAGE OF MERCHANT SHIPS IN ARCHIPELAGIC WATERS AND SUGGESTED POSSIBLE SEPARATE REGIME FOR COMMERCIAL AND MILITARY PASSAGE. RE STRAITS INDONESIA SUPPORTED MORE PRECISE INNOCENT PASSAGE REGIME. UNCTAD SPEAKER REFERRED TO UNCTAD STUDIES WHICH HE CLAIMED DEMONSTRATED INEVITABILITY OF ECONOMIC LOSS TO LDC METALS PRODUCERS FROM SEABED MINING AND NEED TO PROVIDE ARRANGEMENTS FOR PROTECTION FROM LOSS IN SEABED REGIME, BY EITHER SYSTEM OF COMPENSATION OR CONTROL OF PRODUCTION. SAME POINTS ALSO MADE IN COMMITTEE I WHERE COUNTERED BY STEVENSON REVIEW ECONOMIC IMPLICATIONS.

3. STEVENSON STATEMENT COMMITTEE I. STEVENSON STATEMENT INTENDED TO FOCUS ATTENTION OF COMMITTEE ON "CENTRAL ISSUE" OF EXTENT OF CONTROL BY PROPOSED SEABED AUTHORITY OVER COMMERCIAL DEVELOPMENT OF RESOURCES OF INTERNATIONAL SEABED AREA. STEVENSON SAID CONTROL WOULD BE EXERCISED THROUGH FOUR PRINCIPAL ORGANS, AND SUBSIDIARY ORGANS OF AUTHORITY, AND QUESTION WAS "HOW MUCH CONTROL, SUBJECT TO WHAT SAFEGUARDS, AND OVER WHAT ACTIVITIES". STATEMENT AGAIN STRESSED NEED IN ALL CASES TO BALANCE RIGHTS WITH DUTIES AND CITED POINTS OF PARTICULAR IMPORTANCE TO U.S.: NON DISCRIMINATORY ACCESS TO RESOURCES OF THE AREA, CONTROL BY THE AUTHORITY ONLY OF ACTIVITIES IN THE SEABED AREA WHICH RELATED DIRECTLY TO EXPLORATION AND EXPLOITATION OF SEABED RESOURCES, CHECKS AND BALANCES, AMONG ORGANS OF AUTHORITY, DEFINED SYSTEM OF RULE MAKING, PROVISIONS FOR COMPULSORY SETTLEMENT OF DISPUTES, REALISTIC VOTING

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ARRANGEMENT IN THE COUNCIL OF THE AUTHORITY AND ARRANGEMENTS FOR PROVISIONAL APPLICATION OF TREATY.

B. ECONOMIC IMPLICATIONS: STEVENSON ADDRESSED QUESTION OF PROPOSALS OF SOME STATES FOR PRICE AND PRODUCTION CONTROLS WHICH HE SAID MIGHT ALSO HAVE EFFECT OF LIMITING ACCESS, AND URGED THAT IN LIGHT OF RECENT EXPERIENCE IT WOULD BE USEFUL FOR ALL COUNTRIES WHETHER DEVELOPED OR DEVELOPING WHO ARE CONSUMERS OF THESE MATERIALS TO ANALYZE THEIR INTERESTS TOGETHER. ON

SPECIFIC ISSUE OF ECONOMIC EFFECTS STEVENSON SAID THAT UN
ECONOMIC STUDIES HAVE SHOWN THAT INCREASE IN COPPER DEMAND WILL
GREATLY EXCEED RATE OF DEVELOPMENT FROM SEABED PRODUCTIONS, THAT
THERE IS SIMILAR THOUGH LESSER PROJECTION RE NICKEL WHICH IS
IN ANY CASE A DEVELOPED COUNTRY EXPORT, AND THAT EFFECT ON
MANGANESE IS SPECULATIVE AND TO US KNOWLEDGE ONLY ONE COMPANY
HAS PLANS FOR ANY PRODUCTION OF MANGANESE FROM NODULES.
AMB SAID THAT COBALT PRODUCTION OF ONE OR TWO LDCS MAY BE AFFECTED
AND THAT IN THESE CASES APPROPRIATE MEASURES COULD BE CONSIDERED
AND PROBLEMS IN REALITY MAY BE QUITE SMALL.
C. PARALLEL REGIMES: STEVENSON ALSO ENDORSED VIEW OF DELEGATES
WHO REJECTED PROPOSALS OF SOME STATES FOR A PARALLEL SYSTEM OF
EXPLOITATION WHICH WOULD PERMIT BOTH LICENSING AND DIRECT EXPLOITA-
TION BY THE AUTHORITY. HE STRESSED NEED FOR SINGLE SYSTEM
WHICH WOULD ACCOMMODATE INTERESTS OF ALL.

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DRC-01 /294 W

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R 202115Z JUL 74

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FROM US DEL LOS

4. COMMITTEE I (SEABED REGIME) IN ADDITION TO U.S., COMMITTEE HEARD STATEMENTS FROM MORE THAN 60 STATES IN COURSE OF WEEK. SEVERAL DELEGATIONS, PRIMARILY LATIN AMERICA, REFERRED DURING GENERAL DEBATE TO NEED FOR INTERNATIONAL REGIME TO COVER RESOURCES OF WATER COLUMN ABOVE INTERNATIONAL SEABED AREA. U.S. INTERVENED IN DEBATE TWICE TO ADVISE COMMITTEE THAT SUBJECT WAS OUTSIDE MANDATE OF CI. STATEMENTS OF SEVERAL LDC AND EUROPEAN DELS INDICATED SHIFT IN POSITION TOWARDS MIXED EXPLOITATION SYSTEM IN WHICH BOTH LICENSING AND DIRECT EXPLOITATION BY AUTHORITY WOULD BE CONDUCTED SIMULTANEOUSLY OR AT OPTION OF AUTHORITY. ANOTHER VARIANT OF THIS APPROACH WOULD PERMIT LICENSING IN EARLY YEARS WITH AUTHORITY EVENTUALLY REPLACING LICENSING WITH DIRECT EXPLOITATION, WHEN IT GAINED TECHNICAL AND FINANCIAL COMPETENCE. WITH RESPECT TO ECONOMIC IMPLICATIONS, THERE WAS WIDESPREAD LDC SUPPORT FOR GRANTING

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AUTHORITY POWERS TO PREVENT ADVERSE ECONOMIC EFFECTS OF SEABED PRODUCTION ON LAND-BASED PRODUCERS. THERE HAVE BEEN SLIGHT INDICATIONS, HOWEVER, THAT SOME LDCS ARE BEGINNING TO REVIEW THEIR INTERESTS AND CONSUMERS IN PRODUCTION CONTROLS ISSUES. SEVERAL INDUSTRIALIZED NATIONS, INCLUDING USSR, ENDORSE SOME FORM OF QUOTA SYSTEM FOR AMOUNT OF SEABED AREA ALLOTTED ANY STATE. LARGE NUMBERS OF SPEAKERS, BOTH DEVELOPED AND DEVELOPING SUPPORTED NECESSITY FOR DISPUTE SETTLEMENT MACHINERY.

5. COMMITTEE II (STRAITS, TERRITORIAL SEA, ECONOMIC ZONE, ETC) AT COMPLETION OF DEBATE ON ITEM 2 (TERRITORIAL SEA) ON THURSDAY, CHAIRMAN (AGUILAR VENEZUELA) PRESENTED DRAFT TEXT BASED ON PRIOR TABLED TEXT AND REPRESENTING MAJOR POINTS OF VIEW IN TERRITORIAL SEA DEBATE. POSITIONS REFLECTED WERE, IN GENERAL, THOSE FAVORING 12 MILE TERRITORIAL SEA AND DEFINITION OF TERRITORIAL SEA IN 1958 CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE, AND THOSE FAVORING SO-CALLED 200-MILE TERRITORIALIST APPROACH FOR LATTER GROUP, PERU AND URUGUAY STATED THAT DEFINITIONS SHOULD BE IN TERMS OF NATIONAL AND INTERNATIONAL ZONES, AND NOT IN CLASSICAL TERMS LIKE TERRITORIAL SEA, HIGH SEAS, AND ECONOMIC ZONE. COMMITTEE II WILL BEGIN DISCUSSION NEXT ITEM (ON CONTIGUOUS ZONE). ON JULY 18 WHILE CHAIRMAN CONSIDERS HOW TO REVISE DRAFT WORKING PAPER ON TERRITORIAL SEA IN LIGHT OF OBJECTIONS RAISED BY SOME DELEGATES, PRINCIPALLY ON LACK OF INCLUSION OF ARCHIPELAGO WATERS BASELINES IN DEFINITION OF ITEM. POSITION OF US AND CHAIRMAN IS THAT ARCHIPELAGOES ARE LISTED AS A SEPARATE AGENDA ITEM (AS ARE QUESTION OF STRAITS AND ECONOMIC ZONE) AND WILL BE FULLY CONSIDERED LATER.

6. COMMITTEE III (MARINE POLLUTION AND SCIENTIFIC RESEARCH). FIRST HALF OF WEEK HEARD BRIEF GENERAL STATEMENTS ON POLLUTION, WITH SCIENTIFIC RESEARCH BEING DISCUSSED LAST TWO DAYS. (US DID NOT MAKE FORMAL STATEMENT ON POLLUTION BUT WELCOMED GENERALLY

CONCILIATORY TONE OF STATEMENTS). AMONG COMMON TRENDS WERE INCREASING SUPPORT FOR SPECIAL AREA TYPE APPROACH WITHOUT SPECIFYING DETAILS, SUPPORT FOR COASTAL STATE MEASURES RE DUMPING, AND SUPPORT FOR CONCEPT OF COMPULSORY SETTLEMENT FOR DISPUTES. SPEECHES ALSO INDICATED SOME FLEXIBILITY ON APPLICATION OF ZONAL APPROACH. CANADA AND AUSTRALIA MADE DETAILED STATEMENTS SUPPORTING THEIR PREVIOUS PROPOSALS FOR A ZONAL APPROACH WHICH WOULD GIVE COASTAL STATES RIGHT TO SET

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AND ENFORCE STANDARDS ON VESSEL-SOURCE POLLUTION IN A BROAD ZONE.

7. GENERAL STATEMENTS ON SCIENTIFIC RESEARCH IN COMTE THREE BEGAN THURSDAY, JULY 18. NUMBER LDC STATEMENTS BROOK UP THEME THAT COASTAL STATE CONSENT TO SCIENTIFIC RESEARCH WAS NECESSARY FOR SECURITY REASONS IN ECONOMIC ZONE. REFERENCE WAS ALSO MADE BY SOME STATES TO NEED FOR REGULATION OF SCIENCE IN AREAS BEYOND NATIONAL JURISDICTION. OTHER STATES WERE CRITICAL OF PROPOSED RESTRICTIONS ON LEGITIMATE SCIENTIFIC RESEARCH ACTIVITIES. US STATEMENT FRIDAY MORNING WILL EMPHASIZE ADVERSE EFFECTS ON BOTH EXTENT AND COST OF MUCH NEEDED SCIENTIFIC RESEARCH IN OCEANS IF SUCH RESEARCH REQUIRES THE CONSENT OF THE COASTAL STATE IN A 200-MILE ZONE WHICH WOULD ENCOMPASS ONE-THIRD OF THE OCEANS AND AN AREA OF PRIMARY IMPORTANCE TO MARINE RESEARCH.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, TERRITORIAL WATERS, FREEDOM OF NAVIGATION, COMMITTEE MEETINGS, MEETING REPORTS, FOREIGN POLICY POSITION, DIPLOMATIC REPRESENTATIONS , ARCHIPELAGOS, STRAITS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974CARACA06842
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740197-0304
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740732/aaaabazc.tel
Line Count: 253
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 28 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 MAR 2002 by thomasv0>; APPROVED <17 JAN 2003 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: WEEKLY UNCLASSIFIED SUMMARY REPORT JULY 12-18
TAGS: PLOS, OCON, VE, JA, ID, UNCTAD
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005